

REMARKS:

Applicants have carefully reviewed the Examiner's comments in the Office Action and have prepared the following response.

Claims 1-9, 11, 13, and 14 remain pending in this application. Initially, Applicants express appreciation that the Examiner has indicated that claim 11 would be allowable if rewritten into independent form to include all the limitations of its base claim and any intervening claims. By this paper, claims 1, 11 and 13 have been amended, and claims 10 and 12 have been canceled. Claims 7 and 8 were previously withdrawn. No new matter has been added by virtue of this amendment.

Turning to the issues raised in the Office Action, claim 12 is objected to as being of improper dependent form for failing to further limit the subject matter of a previous claim; claims 1-6 & 9 stand rejected under 35 USC § 112 ¶1 as failing to comply with the written description requirement; claims 1-6, 9 & 12-14 stand rejected under 35 USC § 112 ¶2 as being indefinite for failing to particularly point out and distinctly claim the invention; claims 1-3 & 9 stand rejected under 35 USC § 102(b) as being anticipated by Orain (U.S. Patent No. 3,817,057, hereinafter "Orain"); claims 10 & 12-14 stand rejected under 35 USC § 102(b) as being anticipated by Fisher et al (U.S. Patent No. 3,858,412, hereinafter "Fisher"); finally, claim 11 has been objected to as containing allowable subject matter, but being dependent upon a rejected base claim. Applicants respectfully traverse each of the stated rejections and objections in view of the above amendments and following remarks.

With respect to claim 1, there is provided "a diaphragm seal ... being located entirely on one side of said chamber, thereby forming a single wall ..." (Amended Claim 1). This amendment has been made to clarify the Applicants' invention and is not believed to be of narrowing scope. Furthermore, Applicants aver that support may be found, for example, in paragraph 20 of the originally filed specification, as well as Figure 1, element 46.

The prior art fails to teach a diaphragm seal located entirely on one side of a chamber. Specifically, Orain teaches "the element 3 and the shaft 7 ... enclosed in a ... sleeve indicated generally at 9. ... The sleeve 9 is closed by a closure 20 to form a bag ..." (Orain, Col. 2, 34-47) (emphasis

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added). Thus, the closure 20 is a portion of an enclosing or sealing arrangement that surrounds the chamber. Claim 1 is therefore patentably distinct from the prior art and is believed to be in condition for allowance.

Claim 11 has been rewritten into independent form to include all the limitations of its base claim, and is therefore believed to be in condition for allowance, as indicated by the Examiner.

Claim 13 has been amended to clarify that the flexible sheet of claim 11 is being further described.

With respect to the remaining dependent claims, without conceding the Examiner's position, Applicants aver that claims 2-9 and 12-14 are allowable based on their dependency from claims 1 and 11, respectively.

In view of the foregoing amendments and remarks, Applicants submit that the claims are patentable over the prior art and the application is in a condition for allowance. Applicants respectfully request an early notice of allowance. The Examiner is cordially invited to telephone the undersigned for any reason which would help advance the instant application to allowance.

Respectfully submitted,



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